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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,155	01/04/2001	Frank L. Weil	P5410	3195

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EXAMINER

CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
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2172

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DATE MAILED: 09/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/754,155

Applicant(s)

WEIL ET AL.

Examiner

Chongshan Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Claim Rejections - 35 USC § 103

1. Claims 1-20 and 22 are pending, claim 21 is cancelled.

Response to Arguments

2. Applicant's arguments filed on 6/26/2003 regarding claims 1-20 and 22 have been fully considered but they are not persuasive.

As per applicant's arguments regarding claim 1 Chidlovskii does not teach creating a modified search have been considered but are not persuasive.

Chidlovskii teaches a user submits a query 102 (see, Chidlovskii, Fig. 2), this query 102 does not have information about which community is appropriate to search. The search preprocessor 30 (Fig. 2), responsive to the search query 102, applies a predetermined context profile to the search query to generate a context of the search query and determine the community or set of communities appropriate to search (see, Chidlovskii, Fig. 2, col. 2, line 37 – col. 3, line 15, col. 4, lines 19-25, col. 5, lines 42-55). The query after preprocessing 30 will be different from the query 102 submitted by the user, it will have information about which community is appropriate to search. It is clearly that the search pre-processor modifies the query since the query has additional information about which community to search after pre-processing.

Furthermore, it is well know to one of ordinary skill in the art that query has a Select ... From ... Where ... structure. The "From" condition in query structure specifies where to search. The pre-processor of Chidlovskii limits which community is appropriate to the search and sends the search request to the search engine 20. The pre-processor must add information

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about which community to search to the "From" condition in the query structure in order to tell the search engines 20 which community is appropriate to the search. Rubert also teaches determining which database to search according to the user information. For the same reason above, the information about which database to search has to be added to the "From" condition in the query structure in order to tell the search engine which database is appropriate to search.

As per applicant's arguments regarding claim 4 "no discussion, and certainly no enabling description, is provided to how the results may be processed to standardize the results from differing search engines" have been considered but are not persuasive.

Chidlovskii teaches collecting search results from different search engines, rank and display all the search result in a normal/standard fashion (see, Chidlovskii, Fig. 2, col. 2, lines 49-65). Furthermore, it is noted that the features how the results may be processed to standardize the results from differing search engines are not recited in the rejected claim.

As per applicant's arguments regarding claim 6 "no teaching or suggestion that it may be desirable to intercept a search engine indexing or populating request by retrieving the requested data from a content store but yet returning a modified version of the retrieved data ..." have been considered but are not persuasive. The combination of Chidlovskii, Rubert and Judd teaches restricting the user access to appropriate database/community and returning a modified/ranked version of retrieved data (see, Chidlovskii, col. 2, lines 37 – col. 3, line 39, col. 4, lines 19-25, col. 5, lines 42-55).

As per applicant's arguments regarding claim 7 "there is no teaching the search engine when populating its collections or database would go through a search engine interface ... no teaching of modifying data retrieved from a content source ..." have been considered but are not

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persuasive. It is well known to one of ordinary skill in the art that the software program has application program interface (API) in order to interact and provide its service to user. Without the API, the user or other program would not be able to communicate with the software program. Therefore, it is clearly there is a search engine interface between the search engine and the content files for interaction. Furthermore, the combination of Perkins and Rubert teaches restricting the user access to appropriate database/community and returning a modified/ranked version of retrieved data (see, Rubert, col. 2, lines 55-67, Perkins, col. 1, line 52 – col. 2, line 9).

Independent claim 14 is directed to a web server with limitations similar to those of claim 1 written in apparatus form.

As per applicant's arguments regarding claim 18 Judd or Rubert does not teach creating a modified search request by applying a search profile ... generate a restricted populating set of information ... have been considered but are not persuasive. Rubert teaches modifying search request by limiting the search request to which database can be accessed by the user and which queries can be executed. Since the query has restricted access to the database, of course the search result will have a restricted population from restricted database.

As per applicant's argument regarding claim 22 Chidlovskii fails to teach the concept of populating the search engine collections with modifications to include service identifications have been considered but are not persuasive. As discussed in claim 1, Chidlovskii teaches modifying search request to limit which community is appropriate to the search. The community is a service identification that identifies the appropriate community to search.

Claim Rejections – 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chidlovskii et al. ["Chidlovskii", 6,327,590] in view Rubert et al. ["Rubert", 6,366,915].

As per claim 1, Chidlovskii discloses a method for controlling access provided to a client to content files during an information search based on a client search profile, comprising:

receiving a search request from a client; creating a modified search request by applying a search profile for the client to the received search request; and routing the modified search request to a search engine having a search engine collections populated from the content files (Chidlovskii, Fig. 2, col. 4, lines 19-25).

Chidlovskii does not disclose wherein the applying of the search profile includes adding at least a portion of the search profile to the received search request to specify a set of the search engine collections to be searched by the search engine with the modified search request (Rubert, Fig. 4, 410, col. 2, lines 61-64). Rubert discloses determining the databases to access.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rubert with Chidlovskii in order to determine the databases the user is authorized to access.

Regarding to claim 2, Chidlovskii and Rubert teach all the claimed subject matters as discussed in claim 1, and further disclose generating the search profile based on stored information pertaining to the client (Chidlovskii, col. 3, lines 16-18).

As per claim 3, Chidlovskii and Rubert teach all the claimed subject matters as discussed in claim 2, and further discloses accessing the stored client information using login information for the client, the login information being collected prior to the receiving of the search request (Rubert, Fig. 4, col. 2, lines 61-64).

Regarding to claim 4, Chidlovskii and Rubert teach all the claimed subject matters as discussed in claim 1, and further disclose in response to routing the modified search request, receiving a set of search results in a format defined by the search engine and including standardizing the set of search results (Chidlovskii, col. 2, lines 49-60).

Regarding to claim 5, Chidlovskii and Rubert teach all the claimed subject matters as discussed in claim 4, and further disclose the standardized set of search results for transmittal to the client (Chidlovskii, col. 2, lines 58-60).

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chidlovskii et al. ["Chidlovskii", 6,327,590] in view of Rubert et al. ["Rubert", 6,366,915] and further in view of Judd et al. ["Judd", 6,360,215].

Regarding to claim 6, Chidlovskii and Rubert teach all the claimed subject matters as discussed in claim 1, except for explicitly disclosing prior to the receiving of the search request, intercepting an indexing request from the search engine for a set of information from the content for the search engine collections and in response, returning to the search engine a modified form of the requested set of information. Judd discloses intercepting an indexing request from the

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search engine for a set of information from the content for the search engine collections and in response, returning to the search engine a modified form of the requested set of information (Judd, Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the methods of Chidlovskii and Judd in order to indexing the database.

6. Claims 7-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins [6,253,198] in view of Rubert et al. ["Rubert", 6,366,915].

Regarding to claim 7, Perkins discloses a method for restricting direct access to content files by a search engine and a client during an information search initiated by the client and performed by the search engine, comprising:

positioning a search engine interface between the client and the search engine, wherein the search engine interface is also positioned between the search engine and the content files (Perkins, col. 1, lines 59-61, col. 6, lines 1-3);

receiving with the search engine interface an indexing request from the search engine for a set of information from the content files; operating the search engine interface to retrieve the set of information from the content files; passing the set of information to the search engine for use in populating a search engine collections (Perkins, col. 10, lines 27-67);

receiving at the search engine interface a search request from the client (Perkins, col. 1, lines 54-57); and

routing the search request to the search engine for use in searching the search engine collections (Perkins, col. 1, lines 59-61).

Perkins does not explicitly disclosing modifying content in the set of information with the search engine interface. Rubert discloses modifying content in the set of information with the search engine interface (Rubert, Fig. 6A – 6B, 610, 615). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rubert with Perkins in order to modify and update the search request.

As per claim 8, Perkins and Rubert teach all the claimed subject matters as discussed in claim 7, and further disclose modifying content in the set of information with the search engine interface (Rubert, Fig. 6A – 6B, 610, 615), which inherently includes removing metatags from at least a portion of the set of information.

As per claim 9, Perkins and Rubert teach all the claimed subject matters as discussed in claim 7, and further disclose modifying content in the set of information with the search engine interface (Rubert, Fig. 6A – 6B, 610, 615), which inherently includes adding additional information to the set of information.

As per claim 10, Perkins and Rubert teach all the claimed subject matters as discussed in claim 7, and further disclose a client search profile defining select collections in the search engine collections for applying the search request (Rubert, col. 2, lines 61-64).

As per claim 11, Perkins and Rubert teach all the claimed subject matters as discussed in claim 7, and further disclose add a client search profile to the received search request to identify select ones of the search engine collections for applying the search request (Rubert, Fig. 4-10).

As per claim 12, Perkins and Rubert teach all the claimed subject matters as discussed in claim 11, and further retrieving with the search engine interface user information for the client (Rubert, Fig. 4-10).

As per claim 13, Perkins and Rubert teach all the claimed subject matters as discussed in claim 7, and further interactive with the search engine to retrieve data (Rubert, Fig. 4-10), which inherently includes an instance of the search engine interface that is configured for communicating with the search engine.

7. Claims 14-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Judd et al. ["Judd", 6,360,215] in view of Rubert et al. ["Rubert", 6,366,915].

As per claim 14, Judd discloses a Web server for controlling access to content files during a network-based information search initiated by a remote client, the Web server being communicatively linked to a search engine with search engine collections and the content files, comprising:

a Web server application in communication with a data communications network configured for communicating with the communications network and for receiving a search request from the remote client (Judd, Fig. 1-6).

Judd does not explicitly disclose add a client search profile to the search request to define select collections in the search engine collections for applying the search request and for routing the processed search request to the search engine. Rubert discloses add a client search profile to the search request to define select collections in the search engine collections for applying the search request and for routing the processed search request to the search engine (Rubert, Fig. 1-10, col. 2, lines 61-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rubert with Judd in order to determine which database to search.

As per claim 15, Judd and Rubert teach all the claimed subject matters as discussed in claim 14, and further disclose the Web server is a HTTP Web server configured to support Java and the search engine interface comprises a Java API (Judd, Fig. 1).

As per claim 16, Judd and Rubert teach all the claimed subject matters as discussed in claim 14, and further disclose the search engine interface is further adapted parsing a set of search results returned by the search engine in response to the routed search request to generate a standardized set of search results (Judd, Fig. 1).

As per claim 17, Judd and Rubert teach all the claimed subject matters as discussed in claim 16, and further disclose discloses a page generator for generating a results page including the standardized set of search results, and wherein the Web server application is adapted for transmitting the results page over the communications network to the client (Judd, Fig. 1).

As per claim 18, Judd discloses a computer program for controlling access to content files during an information search initiated by a client and performed by a search engine, comprising:

first computer code devices configured to cause a computer to receive a search request from the client; second computer code devices configured to cause a computer to create a modified search request by applying a search profile for the client to the received search request; third computer code devices configured to cause a computer to route the modified search request to the search engine, the search engine being communicatively linked to a search engine collections populated with a set of information from the content files; and fourth computer code devices configured to cause a computer to intercept an indexing request from the search engine for information from the content files and to generate a restricted populating set of information

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by modifying results of the indexing request, wherein the search engine uses the restricted populating set to populate the search engine collections (Judd, Fig. 1-6).

Judd does not explicitly disclose the search profile defines select ones of the search engine collections for applying the modified search request during the information search. Rubert discloses the search profile defines select ones of the search engine collections for applying the modified search request during the information search (Rubert, Fig. 4-10, col. 2, lines 61-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rubert with Judd in order to determine which database to apply search request.

As per claim 19, Judd and Rubert teach all the claimed subject matters as discussed in claim 18, and further disclose generate the search profile based on client information (Rubert, Fig. 4-10).

As per claim 20, Judd and Rubert teach all the claimed subject matters as discussed in claim 18, and further disclose receive a set of search results from the search engine and to parse the set of search results into a standardized set of search results for inclusion in a results page (Judd, Fig. 1).

As per claim 21, Judd and Rubert teach all the claimed subject matters as discussed in claim 20, and further disclose cause a computer to intercept an indexing request from the search engine for information from the content files and to generate a restricted populating set of information by modifying results of the indexing request, wherein the search engine uses the restricted populating set to populate the search engine collections (Judd, Fig. 1, Rubert, Fig. 4-10).

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8. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chidlovskii et al. ["Chidlovskii", 6,327,590].

As per claim 22, Chidlovskii discloses a method for concurrently restricting direct access to content files by a search engine and a client during an information search initiated by the client and performed by the search engine, comprising: positioning a search engine interface between the client and the search engine, wherein the search engine interface is also positioned between the search engine and the content files; receiving with the search engine interface an indexing request from the search engine for a set of information from the content files; operating the search engine interface to retrieve the set of information from the content files; modifying the retrieved set of information with the search engine interface to include service identifications; passing the modified set of information to the search engine for use in populating a search engine collections; receiving at the search engine interface a search request from the client; modifying the search request to add a particular service identification defined in a client search profile (Chidlovskii, Fig. 1-2, col. 2, line 49 – col. 3, line 6).

Chidlovskii does not explicitly disclose the search engine compares the particular service identification to the service identifications to select a subset of the search engine collections for use in the searching. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to compares the particular service identification to the service identifications to select a subset of the search engine collections for use in the searching in order to just search the user desired search engine to save search time.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nikolovska et al. (6,484,164) disclose data search user interface with ergonomic mechanism for user profile definition and manipulation. (col. 1, lines 52-54, add user profile to a query).

Reese (6,374,237) discloses data set selection based upon user profile.

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Contact Information

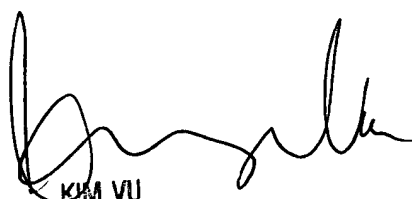
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (703) 305-8319.

The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703)305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Chongshan Chen
9/5/03


KIM VU
SUPERVISORY PATENT EXAMINER
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